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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,824

06/15/2007

John Tucker

03-899-E

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04/06/2010

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EXAMINER

KUMAR, SHAIENDRA

ART UNIT

PAPER NUMBER

1621

MAIL DATE

DELIVERY MODE

04/06/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-12 and 17-18, drawn to compounds, composition and method of use, when the compounds are non heterocyclic.

Group II, claim(s) 1-12 and 17-18, drawn to compounds, composition and method of use, when the compounds are heterocyclic.

Group III, claim(s) 13, drawn to carboxamide compound intermediate.

Group IV, claim(s) 14, drawn to epoxide intermediate.

Group V, claim(s) 15, drawn to carbamate intermediate.

Group VI, claim(s) 16, drawn to nitrile intermediate.

The inventions listed as Groups I-VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: they are structurally dissimilar compounds and thus lack the same or corresponding technical feature. Additionally, compounds of Group II-VI are not novel, see the document WO 03/029,169, page 82, line 8 - page 83, line 23) which discloses already the preparation of intermediates disclosed in claims 14 - 16.

In view of the complex nature of the restriction requirement, a written restriction requirement has been made

Additionally, applicant need to elect a single disclosed species for the examination, if they elect Group I or Group II, and the claims will be examined to the extent they read on the elected species and closely related compounds. Also,

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applicants should identify as to which claims read on the elected species.

Applicants is also required to elect single method of treatment for Group I or Group II.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAILENDRA KUMAR whose telephone number is (571)272-0640. The examiner can normally be reached on M-F, 7:30AM-5:00PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Kumar

4/1/10

/SHAILENDRA KUMAR/
Primary Examiner, Art Unit 1621

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